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Commission on Cooperation and Security in Europe
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“ODIHR at Fifteen: Successes and the Future”

Introduction

Chairman Brownback, Co-Chairman Smith, Senators, Congressmen: thank you very much for inviting me here today to discuss the success and the promise of OSCE’s Office for Democratic Institutions and Human Rights (ODIHR). Let me offer my particular thanks to you and the other members of the Helsinki Commission for your invaluable support to the OSCE over the years, as well as my sincere appreciation for the excellent work of the staff members of the Commission, whose knowledge, collegiality, and substantive contributions have been essential to the effective representation of the United States within the OSCE.

The Helsinki Final Act embraced an overarching concept of security, one which linked security *among* states to the respect for human rights *in* states. In fact, all our OSCE commitments recognize that promoting democracy and respect for human rights is fundamental to achieving sustainable security in Europe and Eurasia. This concept continues to be our guiding principle in our relations with other OSCE States. In fact, OSCE principles and commitments demonstrate the extraordinary utility of the organization in advancing freedom in Europe and Eurasia, objectives President Bush reiterated so profoundly in his Second Inaugural address. I’m very pleased to say Mr. Strohal, who is with us, and the ODIHR as an institution continue to provide unparalleled leadership in working toward these goals.

Promoting Democracy

ODIHR’s democracy promotion effort is one of the great success stories of post-Cold War international cooperation. Peaceful democratic change in Ukraine and Georgia is a testament to ODIHR’s role in promoting elections that meet international democratic standards. ODIHR’s election observation methodology is, by all measures, the “gold standard” in the field. Proof of this lies in measurable results. Human rights NGOs, other governments, and the UN, through its 2005 Declaration of Principles for International Election Observation and accompanying Code of Conduct, all reference ODIHR conclusions in evaluating the freedom and fairness of elections throughout the OSCE region. In 2005, OSCE conducted 10 election observation and assessment missions, most notably in Kyrgyzstan, Tajikistan, Azerbaijan and Kazakhstan.

The means by which ODIHR carries out its democratization mandate are amazingly transparent: procedures are spelled out in online handbooks, reports are publicly available, and procedures are referenced back to core OSCE consensus commitments.

What is more, citizens of OSCE States have successfully called for electoral improvements, media freedoms, and greater democratization, and have used ODIHR conclusions as a basis for such civic activism.

This year, ODIHR has already observed elections in Belarus, Ukraine, and Azerbaijan. A mission is now on the ground in Montenegro, observing a referendum on the future of its union with Serbia. More limited Assessment Missions were also sent to Canada and Italy. ODIHR's report on the Belarusian election has been a cornerstone of the international community's judgment of this latest effort by the Belarusian government to stand against the tide of history and to deny its citizens their basic rights. Ambassador Strohal and his colleagues have been, to say the least, busy.

ODIHR's election-related activity has not been confined to voting day. In Kyrgyzstan, for example, ODIHR developed a dialogue with the government regarding follow-up to the elections. An electoral support program was created to provide technical assistance to the central election commission following the fraudulent spring 2005 parliamentary elections, and a project on continued electoral assistance to Kyrgyzstan will be implemented in 2006. Similar projects are being considered in other Central Asian states. With U.S. funding, ODIHR has continued to train media analysts and national media monitors in Central Asia, thereby facilitating the transfer of responsibility for media monitoring activities from outside experts to domestic actors.

In our own country, true to our OSCE commitments, the United States invited ODIHR to enter into a dialogue on follow-up to the November 2004 Presidential election. On the margins of an April 2005 Supplementary Human Dimension Meeting (SHDM) on elections, we organized a side event on the U.S. elections entitled "Reform and OSCE Commitments in a Decentralized System." The side event explained the nature of the U.S. election system and detailed the reforms being undertaken in response to recommendations made after the November 2004 election. The event demonstrated U.S. adherence to OSCE commitments and highlighted the fact that the OSCE does not conduct its democracy activities only "east of Vienna." In line with these same commitments, Secretary Rice has decided to invite the OSCE to observe the upcoming mid-term elections in November, and we have so informed ODIHR.

Despite ODIHR's impressive reputation, however, there have been calls by some States, most notably Russia, to revise ODIHR's methodology. We are open to reforms that would strengthen ODIHR's autonomy and effectiveness; to allow it to play its vital role even better. We are concerned, however, about so-called reforms that would impose limits or added layers of bureaucratic or political control over ODIHR and limit its autonomy or effectiveness. Here, we fear the real issue is not methodology, but the lack of political will among some participating States to implement existing OSCE commitments and to allow the voice of the electorate to be heard. We urge all OSCE States to act on ODIHR's post-election recommendations and to allow ODIHR to continue its important electoral work undeterred, as we are doing in the United States.

Among improvements we can support for ODIHR including working to increase participation of some Eastern states in ODIHR's election observation missions, mindful that, in the interest of objectivity, election monitors from any single country should not exceed ten percent of an election mission's staff. The United States has made significant extra-budgetary contributions to a diversification fund which enables the participation of election experts from Eastern Europe and Eurasia. We have also made extra-budgetary contributions to OSCE projects for building capacity among domestic election observer groups in Central and Eastern Europe and the former Soviet republics.

Fight Against Intolerance

ODIHR's work on democratization, while impressive, is just one aspect of its "human dimension" work. The Office is making significant contributions to the fight against trafficking in persons, intolerance and discrimination, and anti-Semitism. ODIHR continues to promote civil society development, good governance, and dialogue within and beyond the OSCE region.

Concerning intolerance and discrimination, along with the Chairman-in-Office's personal representatives, ODIHR has organized programs and projects in the fields of legislative reform, law enforcement training, capacity building for tolerance-focused NGOs, education on the Holocaust and anti-Semitism, and all forms of anti-ethnic, racial or religious prejudice. ODIHR has been especially engaged in countering media manifestations of hate, while still protecting freedom of expression. The United States has provided significant political and financial support to ODIHR's activities in these areas.

The OSCE's Conference on Anti-Semitism and on Other Forms of Intolerance, held in Cordoba in June 2005, kept the spotlight on anti-Semitism as well as other tolerance issues – racism, xenophobia, and anti-Muslim and anti-Christian discrimination. The conference attracted over 700 governmental and non-governmental participants, and concluded with a declaration reaffirming that "international developments or political issues, including those in Israel or elsewhere in the Middle East, never justify anti-Semitism." In the same declaration, participating States also rejected the identification of terrorism with any particular ethnic or religious group. We support the idea of having future high-level conferences on the model of Cordoba, to ensure high-level political attention to fulfillment of commitments. In this regard, we support Romania's offer to host such a conference in 2007.

We continue to encourage ODIHR's work on education programs to counter intolerance against Muslims. We support ODIHR increasing its tolerance work and training on media freedom in, and with the full cooperation of, the Mediterranean Partner states. With ODIHR's new Program on Tolerance and Non-Discrimination now fully funded and staffed, individual projects on law enforcement training and Holocaust education will be introduced in several States, both in western Europe and Eurasia. Three expert-level seminars – on hate crimes data collection, tolerance education, and intercultural dialogue – may provide platforms for the launch of additional ODIHR projects. Finally, ODIHR's

ongoing work to build NGO capacity to combat intolerance will allow the OSCE, its participating States, and civil society to work in concert, thus multiplying the effects of our individual efforts to promote mutual understanding and respect for diversity, and in this way to contribute to democracy and stability throughout the OSCE region.

Anti-Trafficking

The OSCE continues to be the pre-eminent Europe-wide institution for confronting trafficking in persons, the heinous practice of modern-day slavery. OSCE's geographic breadth helps to address the transnational nature of the problem. ODIHR is one of the OSCE organs working effectively on the issue, alongside the Chairman-in-Office's Special Representative and the OSCE Anti-Trafficking Assistance Unit (ATAU).

Specifically, the Maastricht Action Plan of 2003 on combating trafficking in human beings called for specialized police training, legislative advice, and other assistance. While specialized police training is provided by the OSCE's Strategic Police Matters Unit, ODIHR supports these activities in conjunction with OSCE field missions. ODIHR also coordinates with the OSCE Special Representative for Trafficking and the ATAU in support of training and assistance efforts, in particular by providing the framework and coordination within the OSCE to expand States' combined efforts.

State Department leaders, including Secretary Rice, Under Secretary Dobriansky, Ambassador Miller, Assistant Secretary Fried and I remain resolute in pursuing an end to the evil practice of trafficking in persons, by working bilaterally with states throughout Europe and Eurasia, and through multilateral fora such as the OSCE.

Uzbekistan Trial Monitoring

I would like to mention one activity in the last year that particularly stands out. ODIHR was the only international organization permitted to send trial-monitoring experts to the Andijon trials in Tashkent, which were widely viewed by the international community as show trials. ODIHR recently reported its findings to the Chairman-in-Office, and made specific recommendations for remedial action to numerous problems it saw in these trials. ODIHR demonstrated its ability not only to knowledgeable criticize, but also to offer a means of engaging if a State chooses to do so. Sadly, the reply to ODIHR's excellent report on the vast inadequacy of the proceedings was met only with flat denials and spurious allegations by the Government of Uzbekistan.

Useful though the report was, Mr. Chairman, ODIHR's value lies not simply in its ability to note shortcomings or to suggest remedies. ODIHR offers NGOs and participating states the observations of a competent honest broker. This multilateral, neutral voice continues to have great value in the promotion of democracy, and elevates advocacy of human rights and development of civil society. ODIHR's work forces those who would prefer to silence human rights defenders to argue against objective international standards and universal values. In this regard, their work buttresses our own goals and hopes for the area "from Vancouver to Vladivostok."

ODIHR Work Outside the OSCE Region

There is also scope for additional cooperation in the field of elections outside the OSCE region, as evidenced by the ODIHR technical assistance missions to the Palestinian Territories and Afghanistan in 2005. In late 2004, the Palestinian Authority requested the OSCE to provide any possible assistance for its January 2005 elections. In response, the OSCE sent a Training Needs Assessment Team to the elections, resulting in a number of recommendations to the Palestinian Authority on how to improve the conduct of elections. Based on a similar request from Afghanistan, the OSCE deployed an expert Election Support Team to the September 2005 parliamentary and provincial council elections in that country. We will encourage the OSCE and the other participating States to support ODIHR follow-up to these recommendations. We believe ODIHR's encouragement of democratization in areas of instability is money very well spent.

Promoting the Human Dimension

The promotion and protection of human rights and fundamental freedoms is central to the OSCE's mission and is critical to promoting the rule of law, democratization and conflict prevention.

One of the most important, and most moving, activities ODIHR coordinates is the annual OSCE Human Dimension Implementation Meeting (HDIM). We value the HDIM as an opportunity to focus on human rights issues exclusively, but also as an important occasion when NGOs, speaking outside of the confines of governmental control, can clearly express their concerns and criticisms. And, the HDIM provides a unique forum for NGOs from throughout Eurasia not only to meet directly with representatives of governments, but also for them to meet with counterpart NGOs from other states. Seeing human rights defenders risk their lives, the safety of their families, and their own basic freedoms to call authoritarian regimes to account is truly humbling.

We will continue to support the HDIM as an effective forum for raising human rights cases and supporting human rights defenders. We will fight to ensure NGOs retain their ability to participate fully in the HDIM and the OSCE's other human dimension events. We will also use these meetings to explain and defend U.S. positions and practices on human rights, capital punishment, and freedom of the media, and to respond to criticisms raised about our policies. As always, we will push the Chairman-in-Office to follow up on issues raised at the HDIM, so that they are integrated into the OSCE Ministerial agenda and other meetings.

Herein lies ODIHR's promise: representatives of a multilateral organization create the opportunity for citizens publicly to call their own nations to account. Debate between States, and among States and NGOs, sparks further discussion, larger engagement, and hopefully, in the end, broader agreement on the essence of human rights, enduring peace and security, and meaningful economic development.

Criticism of ODIHR

Before concluding my remarks today, I would like to address some criticisms that have recently been made by Russia and other CIS states about ODIHR, and explain why we disagree with such criticisms. These States assert ODIHR has “double standards” on human rights. They complain of ODIHR “interference” in domestic issues, excessive concentration of OSCE activities in the former Soviet republics, and lack of balance in OSCE activities among the Human, Economic and Security dimensions. They have singled out for special mention ODIHR’s election-related activities and election observation in particular, asserting that a lack of standardized election criteria has led to politicized election assessments.

The United States strongly disagrees with these criticisms. We and the vast majority of participating States have continuously stressed that the OSCE acts objectively and that there are no OSCE double standards on human rights. All OSCE States signed on to the same commitments to respect human rights and to hold free and fair elections. Other delegations in Vienna certainly are free to comment on and criticize real or perceived failings in the United States, just as we are free to criticize them. There are no OSCE double standards on election assessments, either: OSCE observer missions have standard assessment criteria, listed in a publicly-accessible election observation handbook. All OSCE observers are mandated to attend, together, the same training prior to participation.

ODIHR’s human dimension work is not concentrated exclusively to the east of Vienna: besides the numerous election missions that have taken place “west of Vienna,” a variety of ODIHR activities also have a significant western focus. Efforts to combat trafficking in persons are directed toward the entire OSCE region. Flagship events in 2005 were concentrated in western European capitals on anti-Semitism and racism.

CIS criticism of ODIHR “interference” in domestic affairs is unwarranted: participating States agreed in Moscow in 1991 that human dimension commitments are “matters of direct and legitimate concern to *all* participating States and do not belong exclusively to the internal affairs of the state concerned.” We reject as inconsistent criticism of ODIHR for holding true to the mandate all OSCE States charged it with 15 years ago.

There are those within the OSCE who have suggested the Secretary General or the Permanent Council needs greater control over ODIHR. We believe such a change would impede ODIHR’s effectiveness, add unnecessary layers of bureaucracy, and ultimately hinder its democratization work. We want to work with other States on a positive OSCE-wide agenda; if there is concern that the OSCE needs to be enhanced in effectiveness, we are willing to look at ways we can strengthen OSCE activities in a range of areas. But, we won’t agree to any move that would diminish ODIHR’s autonomy or decrease the OSCE’s democracy and human rights work.

We believe Russia, like all 55 OSCE States, is best served by neighbors that are democratic, prosperous, secure, and integrating together as part of a democratic and market-oriented European and Eurasia political and economic space. This is the best

defense against the spread of extremism and terrorism. We seek to work together with Russia to build this kind of strong Euro-Atlantic area, anchored firmly on the full implementation of OSCE's time-honored principles.

Conclusion

ODIHR's record on the promotion of democracy, human rights, and the building of civil society has been an impressive one. Forged in the optimism resulting from the end of the Cold War and the new-found freedom of Central and East European nations, ODIHR was mandated by all OSCE States to pursue with vigor the goal of supporting those in OSCE participating States who wish to strengthen democracy and human rights. Neither ODIHR nor the United States intends to impose new limits on our 15-year-old commitment to supporting greater electoral freedoms in the OSCE area.

I'd like to thank the Commission for inviting me here today to discuss the United States' continued support for ODIHR's work on democratization. Thank you, Ambassador Strohal, and your team, for your visit to the United States, and your continued democratization work throughout the OSCE region.